

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT CINCINNATI**

<b>EDWARD SMITH,</b>	:	
<b>Petitioner,</b>	:	<b>CASE NO. C-1-01-814</b>
<b>v.</b>	:	<b>JUDGE SUSAN J. DLOTT</b>
<b>ANTHONY BRIGANO,</b>	:	<b>MAGISTRATE PERELMAN</b>
<b>Respondent.</b>	:	<b>(CLEVELAND)</b>

**NOTICE OF MANUAL FILING OF EXHIBITS  
TO RESPONDENT'S SUPPLEMENTAL ANSWER**

Please take notice that Respondent, Anthony Brigano, is manually filing the following documents:

Exhibit 39, Trial Transcript, Volumes I through V, and Exhibit 40 to Respondent's Supplemental Answer.

These documents have not been filed electronically because the electronic file size exceeds 1.5 megabytes. The exhibits were manually mailed to the Court on or about February 12, 2004.

Respectfully submitted,

Jim Petro (0022096)  
Attorney General

S\Thelma Thomas Price  
THELMA THOMAS PRICE (0033976)  
Assistant Attorney General  
Corrections Litigation Section  
150 East Gay Street, 16th Fl.  
Columbus, Ohio 43215-6001  
Phone: (614) 644-7233  
Fax: (614) 728-9327  
e-mail: tprice@ag.state.oh.us

**CERTIFICATE OF SERVICE**

I hereby certify that a true and accurate copy of the foregoing *Notice of Manual Filing of Exhibits* to Respondent's Supplemental Answer was mailed to Petitioner Edward Smith, #346-408, Warren Correctional Institution, P.O. Box 120, Lebanon, Ohio 45036 via regular U.S. mail, postage prepaid, on this 18<sup>th</sup> day of February 2004.

s\Thelma Thomas Price  
THELMA THOMAS PRICE (0033976)  
Assistant Attorney General